

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION

4 UNITED STATES OF AMERICA,

5 Plaintiff,

Case No. 18-20256

6 -v-

7 D-3, KARINA GARCIA,

8 Defendant.

9 INITIAL APPEARANCE

10 BEFORE MAGISTRATE JUDGE **R. STEVEN WHALEN**
11 United States Magistrate Judge
12 Theodore Levin United States Courthouse
13 231 West Lafayette Boulevard
14 Detroit, Michigan
15 **April 9, 2018**

16 APPEARANCES:

17 FOR THE PLAINTIFF: ANDREW LIEVENSE
18 U.S. Attorney's Office
19 211 W. Fort Street
20 Suite 2001
21 Detroit, MI 48226

22 FOR THE DEFENDANT: NANCY MCGUNN
23 Federal Defenders Office
24 615 Abbott Street
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Detroit, MI 48226

INTERPRETER: Fehmi Yasin

TRANSCRIBED BY:
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Proceedings digitally recorded.

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1 Detroit, Michigan

2 April 9, 2018

3 3:28 p.m.

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5 THE CLERK: Calling Case No. 18-30195, Defendant No. 3.
6 United States of America vs. Karina Garcia.

7 MR. LIEVENSE: Once again, Andrew Lievense on behalf of
8 the United States. This is, once again, Ms. Garcia's initial
9 appearance on a criminal complaint.

10 THE COURT: Okay. Yasin, you are again interpreting,
11 having already been sworn.

12 Ms. Garcia?

13 THE DEFENDANT: Yes.

14 THE COURT: You are here in this same criminal
15 complaint that charges you with conspiracy to possess with
16 intent to distribute a controlled substance.

17 Have you received a copy of this complaint?

18 THE INTERPRETER: Yes.

19 THE COURT: And was that translated into Spanish for
20 you?

21 THE INTERPRETER: No.

22 THE COURT: Okay. Okay. We're going to make sure that
23 that's done so that you completely understand what you're
24 charged with and, you know, what the facts are that the
25 Government alleges.

1 However, I do want to tell you that you don't have to
2 say anything about this matter, and anything you do say can be
3 used against you in court. You do have a right to a lawyer.
4 If you can't afford to pay one, I will appoint a lawyer for
5 you.

6 Would you like me to do that, Ms. Garcia?

7 THE INTERPRETER: I don't know. My kids are in the
8 back.

9 THE COURT: I'm sorry. I didn't hear that.

10 THE INTERPRETER: I don't know. My kids are in the
11 back.

12 THE COURT: You would like a lawyer?

13 THE DEFENDANT: Yes.

14 THE COURT: Okay. I think that's a good idea. I'll
15 appoint the Federal Defender Office.

16 MS. MCGUNN: Thank you, your Honor.

17 Nancy McGunn from the Federal Defender Office. Your
18 Honor, just one point. Ms. Garcia and I met, and actually Ms.
19 Garcia's English is quite good meeting in person, that's why
20 she mentioned to the Court she didn't need the complaint
21 translated.

22 THE COURT: I understand.

23 MS. MCGUNN: Right. It's just for court purposes, I
24 think we may --

25 THE COURT: Okay.

1 MS. MCGUNN: That's where the confusion may be.

2 THE COURT: That's fine, Ms. Garcia. And if, however,
3 there's anything in that complaint -- sometimes there's legal
4 language in here that, you know, I speak English, I don't
5 always understand it, but if there's anything you don't
6 understand, we have an interpreter available to assist you. Is
7 that all right? Okay.

8 THE INTERPRETER: Okay.

9 THE COURT: All right. In terms, I assume the
10 Government is seeking detention in this as well?

11 MR. LIEVENSE: Yes, your Honor. And the Government
12 would request a detention hearing to be held on Wednesday.

13 THE COURT: Okay. Ms. McGunn?

14 MS. MCGUNN: Yes, your Honor, Wednesday is fine.

15 THE COURT: Okay. Ms. Garcia, I'm going to order you
16 temporarily detained. I'll set this for a detention hearing
17 for Wednesday, April 11th, at one o'clock p.m.

18 Okay.

19 MS. MCGUNN: Thank you.

20 (Matter concluded, 3:31 p.m.)

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CERTIFICATE OF REPORTER

I certify that the foregoing is a correct transcript
from audio recorded proceedings in the above-entitled cause on
the date hereinbefore set forth.

s/ Christin E. Russell

CHRISTIN E. RUSSELL, CSR, RPR, FCRR, CRR

Federal Official Court Reporter